

REMARKS

Applicants respectfully traverse and request reconsideration.

Applicants' attorney wishes to thank Examiner Nguyen for the courtesies extended during the telephone conference of August 29, 2006. As discussed, Applicants respectfully request reconsideration of the finality of the office action as it appears that it was issued in error. Applicants' attorney noted MPEP §706.07(a) which indicates that in this instance, a final action should not have been issued. If the amended claims are not considered to be in condition for allowance, Applicants respectfully request that any subsequent office action be a non final action or final action with an opportunity for Applicants to respond. An Advisory Action in this instance would not appear to be proper.

Claims 1-4, 6-14 and 18-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Adar (U.S. Patent No. 5,774,017). Adar is directed to a multiple band amplifier that employs serially connected amplifiers that are controlled using a bias control circuit. Each output of each amplifier serves as an input to the subsequent amplifier. In contrast, claim 1 (amended to include original claim 2) requires among other things, that a plurality of selectively activated amplifier elements each are operative to produce an RF output signal at the output. The amplifier stages in Adar are not consistent with this requirement and as such, the claims are allowable at least for this reason. Other differences will be recognized by those of ordinary skill in the art. Applicants also respectfully reassert these remarks with respect to independent claims 6, 12 and 18 and as such, these claims are also believed to be allowable at least for this reason.

Claims 1-4, 6, 12-14 and 18-22 stand rejected under 35 U.S.C. §102(b) as being anticipated by Fujita (U.S. Patent No. 6,215,987). Fujita is directed to a mobile communication transmitter capable of selectively activating amplifiers, that employs a control circuit connected to amplifiers and switch circuits that activate at least one of the amplifiers to serially connect

with another amplifier in accordance with the distance between a mobile station and a base station. The system also employs a fixed matching circuit 32 that appears to match an operating frequency of a system between a certain frequency range and does not appear to employ among other things, a variable impedance circuit that is operatively responsive to power output level data to vary an impedance of the variable impedance circuit to dynamically load the output of the scalable power amplifier as claimed. To the contrary, matching circuit 32 appears to be a fixed impedance circuit that is only switched in when, for example, the amplifier 3 is used and amplifier 4 is not used. Accordingly, Applicants respectfully submit that the matching circuit 32 appears to be a fixed impedance and is not a variable impedance circuit as claimed. Other differences will be recognized by those of ordinary skill in the art. Applicants respectfully reassert the relevant remarks with respect to claims 6, 12 and 18 and as such, these claims are also believed to be in condition for allowance.

Claims 1, 6, 18 and 21 stand rejected under 35 U.S.C. §102(b) as being anticipated by Bartlett et al. (U.S. Patent No. 5,834,975). Bartlett is directed to a integrated variable gain power amplifier and method that causes a power amplifier's gain to be determined by a number of outputs connected together. A switch can provide low insertion loss. A variable impedance network is connected to the variable gain power amplifier to provide impedance matching. However, among other differences, Bartlett fails to teach or suggest, that an amplifier configuration circuit is responsive to power output level data to selectively activate the selective amplifier elements by either reducing a power to at least one of the selectively activated amplifier elements or controlling a bias of at least one of the selectively activated amplifier elements. In fact, the cited figure, namely FIG. 3 appears to merely show a series of switches which are used to switch in and out different amplifier sections. No power control or bias

control appears to be shown in the cited portion. Accordingly, Applicants respectfully submit that the claims are in condition for allowance.

The dependent claims add additional novel and non-obvious subject matter.

Applicants respectfully submit that the claims are in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. The Examiner is invited to contact the below listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

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